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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/547,791	04/12/2000	Steven Beck	1481.0170000	5403

7590 03/08/2005

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EXAMINER

MEINECKE DIAZ, SUSANNA M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Requirement for Information under 37 CFR § 1.105

1. In response to Applicant's amendment filed December 14, 2004, the previously pending art rejection is withdrawn. However, Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

The information is required to extend the domain of search for prior art. Limited amounts of art related to the claimed subject matter are available within the Office, and are generally found in class 705 and subclasses 1 and 7, which describe general business practices. A broader range of art to search is necessary to establish the level of knowledge of those of ordinary skill in the claimed subject matter art of weather and terrestrial-based analyses of bodies of water.

Furthermore, it appears that the claimed invention merely automates the data gathering and calculations associated with the underlying analysis methodology. By "underlying methodology," the Examiner is referring to the actual analysis steps (including the collection of the recited factors) of the invention, stripped of any details of automation. Is Applicant's invention based on a prior art methodology for performing weather and terrestrial-based analyses of bodies of water. Are all of the recited factors typically used for such analyses or has Applicant created the entire methodology? Does Applicant's asserted novelty lie in the underlying methodology itself or the automation of data gathering and calculations used to perform a well-known methodology or slight variation thereof?

Art Unit: 3623

In response to this requirement, please provide the title, citation and copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication's contribution to the description of the prior art.

In response to this requirement, please provide the title, citation and copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to developing the underlying methodology of the analysis performed as part of the claimed invention. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In response to this requirement, please provide the names of any products or services that may have incorporated the claimed subject matter or the underlying methodology.

2. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

3. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of TWO (2) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3623

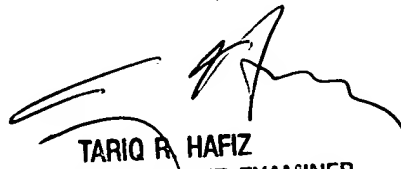
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 2, 2005



SUSANNA M. DIAZ
PRIMARY EXAMINER

AU 3623



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